MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

SANTA MARIA PUBLIC LIBRARY
SANTA MARIA, CALIFORNIA

DECEMBER 1, 2015

INVOCATION:
Dave Brogren of Heritage Presbyterian Church gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Zuniga led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Patino called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, Interim Deputy Fire Chief Jones, Director of Public Works/City Engineer Kahn, Police Chief Martin, Assistant City Attorney Mollenkopf, Director of Utilities Springer, Deputy City Manager Stilwell, Deputy City Manager Tse, Director of Administrative Services Visé, and Deputy City Clerk Cleary.

1. PROCLAMATIONS/COMMENDATIONS/PRESENTATIONS:

A. PROCLAMATION - 20th ANNIVERSARY OF LEADERSHIP SANTA MARIA VALLEY
Mayor Patino presented a Proclamation in honor of Leadership Santa Maria Valley's 20th Anniversary. Local Chapter Chair, Celeste Coelho-Hudson, and Cary Gray, one of the founders of Leadership Santa Maria Valley, accepted the Proclamation and recognized several program graduates in the audience.

B. PROCLAMATION - FILL THE BOOT FOR MDA DAY
Councilmember Waterfield presented a Proclamation to firefighter Tim Smallwood in recognition of Fill the Boot Day raising funds for Muscular Dystrophy. Mr. Smallwood invited people to come by the intersection of Broadway and Cook on December 12, anytime between 10:00 a.m. and 3:00 p.m. to make a donation.

2. PUBLIC COMMENT PERIOD
Joel Arreola, a Pastor from Foursquare Church, spoke on the recent increase in violent activity in the City, and his concern for local youth. He also commented on the importance of youth programs and mentors, saying the Church offers help for families who are interested in those programs.

Jose Uriarte, also representing Foursquare Church, spoke of his concerns for youth in the community and lending people a hand to help get them out of gang lifestyles. He stated he is always available to go speak to any family wanting help. He also encouraged the community to be educated and aware of their options.

Gabriel Morales, Director of the local Center for Employment Training (CET), spoke of his 30 years in the City. He encouraged families to get involved with programs that help youth and parents learn about their options. He asked for a commitment from the community of no more murders.

City Manager Haydon introduced Interim Deputy Fire Chief Jones, saying he would be filling the position until a new Deputy Fire Chief is hired. Deputy Chief Jones was the City's Fire Chief from 2010 to 2011. Prior to that, he was Battalion Chief with the City since 2004. He came to the City as the Fire Chief of Morro Bay.

Police Chief Martin spoke about a meeting held earlier in the day with stakeholders such as city educators, the clergy, the Police Department, and a number of others, including Mayor Patino. The group heard feedback from CET and the Boys and Girls Club. Approximately thirty people participated in the meeting. Since January 1, 2015, there have been ten homicides in the City. There have also been about a dozen other shootings and gang violence has been on the increase since July. The City has responded by increasing its gang-suppression team and placing extra patrols in the area. Chief Martin asked people to come forward if they have any information. He also encouraged everyone to get involved, particularly parents. He warned that without community participation and information exchange, the activity will continue as the retaliations continue.

3. CONSENT CALENDAR:
Councilmember Boysen recused himself from voting on Items 3D (Warrants), due to a conflict of interest.

Consent Calendar Items 3A through 3F (except Item 3D) were approved on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3D (Warrants), was approved on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote: 4-0-1

AYES: Councilmembers Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Boysen

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the regular Meeting of the City Council of November 17, 2015, were approved as submitted.

C. ORDINANCE NO. 2015-15 FIREWORKS RESTRICTIONS
The City Council conducted the second reading and adoption of Ordinance No. 2015-15 amending various sections of the Santa Maria Municipal Code to create third-party administrative citations; authorize cost recovery from violators for storing, handling, transportation and fund disposal of seized illegal fireworks; permit storage of safe and sane fireworks at fireworks booths, if secured; and limit the hours that fireworks may be used.

Ordinance No. 2015-15 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE SANTA MARIA MUNICIPAL CODE TO CREATE THIRD-PARTY ADMINISTRATIVE CITATIONS; AUTHORIZE COST RECOVERY FROM VIOLATORS FOR STORING, HANDLING, TRANSPORTATION AND FUND DISPOSAL OF SEIZED ILLEGAL FIREWORKS; PERMIT STORAGE OF SAFE AND SANE FIREWORKS AT FIREWORKS BOOTHS IF SECURED; AND LIMIT THE HOURS THAT SAFE AND SANE FIREWORKS MAY BE USED.

D. WARRANTS
Warrant Nos. 196905 to 197153 totaling $1,235,410.10 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 191951 and 196613 were cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. ORDINANCE NO. 2015-14 UPDATED DOWNTOWN SPECIFIC PLAN
The City Council conducted the second reading and adoption of Ordinance No. 2015-14 approving the 2015 Update to the Downtown Specific Plan.

Ordinance No. 2015-14 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE 2015 UPDATE TO THE DOWNTOWN SPECIFIC PLAN, FILE NO. SPZ2014-0002.

4. PRESENTATION ON THE EL NIÑO FORECAST AND PREPARATION. Deputy City Manager Stilwell introduced Mark Jackson, meteorologist with the National Oceanic and Atmospheric Administration. Mr. Stilwell announced that the National Weather Service is predicting a strong El Niño

occurrence this 2015-16 storm season. Thus, staff have taken additional steps in preparation for heavy rains and they would like to encourage residents and businesses to take appropriate action also.

Mr. Jackson began his presentation saying El Niño has been a "strong" category since October 1st and could rank among the top three strongest since 1950. Despite the dry conditions on land, the warm waters of the Pacific are pooling on the eastern side of the Pacific causing wetter than normal weather conditions across the southern states. The warmer water is also about 1,500 feet deep, so will be present for a while. The 1982 and 1997 El Niños stood out as a couple of the strongest El Niños in the past. Current temperatures are on track to become even stronger than either of those events.

The majority of the region's water supply comes from northern California reservoirs which are at record lows this year. The most rainfall predicted from the El Niño effect is expected to fall in February 2016. El Niño *tilts the odds* of above normal rainfall for southwest California, however does not guarantee it. Flooding concerns will come if two or three storms occur back to back causing the soil to reach its saturation point. Debris flows near recent burn areas would intensify as there would no longer be anything anchored to the ground to prevent a slide.

Mr. Jackson advised everyone to stay aware of weather predictions and follow the weather on weather.gov, social media, and local TV stations. He suggested doing any repairs necessary to improve drainage around the house and obtaining flood insurance. Ready.gov and the Federal Emergency Management Agency (FEMA) both have excellent flood information and advice. He also encouraged people to follow the instructions of local fire and law enforcement.

Should there be a heavy rainfall, Mr. Jackson stated the best thing to do is not drive right into flood waters. Six inches of rapidly flowing water can sweep a person off their feet. Twelve inches can lift a car and carry it away. Two feet can lift any car, including an SUV.

Flash flood *watches* are issued when the potential exists for a flash flood in the next 12-48 hours. Flash flood *warnings* are issued when there is imminent or current flooding. A flood *advisory* is more of a nuisance and not considered to be life threatening or a danger to property.

Deputy City Manager Stilwell continued the presentation saying that various City Departments are working together in preparation for El Niño weather. The topography of Santa Maria lends itself to being susceptible to flooding with its flat landscape and limited areas for water to flow away. Residents can go to FEMA's home page to type in their address, see specific boundaries on the flood map, and get additional information. In preparation for large rainfall, one area of focus the City recently completed is the rehabilitation of the Santa Maria levee.

Public Works Director Kahn continued the presentation saying the Public Works Department has been busy inspecting roadways, bridges, culverts, and storm drains. They are also well equipped to respond to road closures and emergency storm situations. The Department has been coordinating closely with the Santa Barbara County flood control. Twitchell Reservoir is empty and ready to receive storm water. Emergency fuel has been arranged for should there be a need for emergency vehicles. Public facilities have been prepared and emergency back-up generators have been tested. Sand for sandbags has been set aside at about five locations: Suey Crossing, the 2000 block of Western, the City Public Works Yard, on West Carmen Lane just west of Depot Street, and on San Ysidro Street west of Miller. The County of Santa Barbara has sand and bags available on Foster Road with a limit of 25 per person.

Public Works Director Kahn reminded everyone to slow down when driving in the rain. Avoid standing water on roadways and, if possible, drive in the same tire track prints the car in front of you has driven, but do keep a safe distance. He also advised holding the steering wheel with both hands and keeping windshield wipers in good shape.

Utilities Director Springer explained that the Utilities Department Solid Waste Division has been staging sand for City use, performing maintenance on the collection system and equipment, weatherizing access roads for access and drainage, deploying crews to collect litter and debris, constructing temporary culverts to control drainage and reduce erosion, and training staff on storm water control and maintenance.

The Water Resources Division of the Utilities Department has also been busy cleaning out debris from storm drain inlets, corking sewer manholes where flooding is expected, servicing emergency generators, removing excess dirt from Inger Basin for better storm water detention, cleaning out drying beds and maintaining percolation ponds.

Recreation and Parks Director Posada described efforts the Department has been taking should there be heavy rains. Contracts are being established to provide services, supplies, and equipment as needed

to pre-stage and augment City resources. Work is underway to inspect and maintain the City's urban forest and a storm response plan has been created. Debris is also being cleared from outlets in retention basins.

Interim Deputy Fire Chief Jones continued the staff presentation saying fire crews have been training on rescue drills. They have also developed a swift water rescue plan and offered preparedness classes to the public in both English and Spanish. As well, the City emergency operation center is equipped and ready to be activated. A class for the public will be offered on December 16th (time to be announced) at the Abel Maldonado Youth Center. This class is being coordinated with the California Conservation Corps.

Deputy City Manager Stilwell summarized City efforts saying staff realizes communication and outreach is important for residents to be prepared for winter storms. There is a lot of information available on the City's preparedness website. Access is available through the City's home page at **cityofsantamaria.org**. Videos are available on the City's YouTube channel and government TV channel. Pre-programmed mass notification messages are being created for flooding updates. Residents and businesses are encouraged to sign up for Nixle by texting their zip code to 888777 or by visiting the Nixle website at Nixle.com.

Residents are also encouraged to prepare in advance of any storm by having adequate supplies of food, water, and medicine for everyone in the household, including pets. Weatherizing buildings and preparing vehicles is also being encouraged.

5. RECREATION AND PARKS PROGRAMS AND SERVICES FEE INCREASE. Recreation and Parks Director Posada gave a presentation as detailed in the Council Agenda Report. In 1997, Resolution No. 1997-73 was approved authorizing the Director or Recreation and Parks to approve annual Consumer Price Index (CPI) inflationary increases to cover the cost of providing services to the public. The last time fee increases occurred was more than 15 years ago and the Department would like to re-establish the process of adjusting fees annually based on the CPI.

Staff has made an effort to keep fees affordable for City residents. However, with the growth of the Recreation and Parks program over the years and an improvement in the local economy, staff is proposing an increase of five percent (5%) for class/program fees in addition to an increase of facility rental fees. The increase in fees would help recover some of the expenses from the General Fund and would be in line with fees charged by other recreation providers in the City such as Hancock College and the YMCA. Staff also plans to begin using a new software program to track memberships, issue contracts, and help the programs and the rental procedures run more efficiently. The increased fees would not cover all the costs associated with the operations of the Recreation and Parks programs, but would help alleviate some of them.

On May 12, 2015 a public hearing was held to gather public input regarding fees and policy updates. There were four components to the hearing: 1) updates to facility rental procedures and program policies; 2) an increase to fees for programs and services to meet the CPI; 3) updates to policies and procedures used to manage sports fields and facilities used by special interest sports groups; and 4) updates to fees charged to special interest "historical" sports groups.

Staff conducted a survey of surrounding jurisdictions to see how the proposed fee increase would compare to their fees. The results indicated that the proposed fee increases would bring the City within the mid-range fee level of surrounding areas, and comparable with Salinas and Oxnard – two cities comparable in size to Santa Maria. None of the fee increases being proposed would exceed the cost of providing Recreation and Parks services to residents, as governed by State Law.

Recreation and Parks Director Posada gave examples of how the fees would increase some of the class pricing saying swim lessons would increase from $36.50 to $38.00 with City residents receiving a discounted fee of $28.50. Team sports such as Slow Pitch Softball would increase from $492 for a 14-member team to $517 with City residents paying a discounted rate of $388.

Councilmember Waterfield asked the duration of the classes.

Recreation and Parks Director Posada responded a typical swim lesson class is 4-5 days in the water for about 30 minutes. A taekwondo class is a contracted class where the instructor brings in 10-15 students and generates the revenue. Sixty percent of the funds generated go back to the instructor and the City receives the other forty percent. Team program seasons are about 10-12 weeks.

The facilities proposed rental fee would also increase five percent. For example, the Veterans Community Center all day rental fee is currently $2,162.50. The proposed increase would raise that

fee to $2,271.00 and residents would receive a discounted rate of $2,062.50. Security and damage deposits have become discretionary as most teams over the years have been very respectful of the property and a staff person is frequently on-site to monitor activities. The refund process has also been revised for ease of transactions and to save on some of the processing costs.

Councilmember Boysen asked if rental rates for non-profits were the same as they are for individuals.

Recreation and Parks Director Posada responded that non-profits receive a discounted rate. Staff is also open to working with non-profits on additional days that take into account set-up and tear-down for events.

Councilmember Orach asked about security requirements with facility rentals.

Recreation and Parks Director Posada responded that security is required whenever alcohol is served. This may be through a private security company or the City Rangers. The cost of this would be paid by the renter.

With regard to athlete facilities usage and scheduling, the Recreation and Parks Commission approved giving priority to teams whose membership was comprised of at least 55 percent City residents. Fee increases for groups have not been established and staff is asking for guidance from the City Council on this item. Staff is proposing four possible options: 1) keep fees the same; 2) raise fees five percent each year over the next three years and then implement increases based on the annual CPI thereafter; 3) require sports groups to pay a ten percent increase over the next three years; or 4) require teams to pay a 50 percent increase over the next three years.

Councilmember Waterfield asked why the fee increases are so high in options 4 and 5.

Recreation and Parks Director Posada responded that much of the cost to the Recreation and Parks programming is underwritten with funds from the General Fund, and fees could never really match actual Department expenses. Staff hopes to cover as much of their expenses as is reasonably possible.

Councilmember Boysen asked about the 1997 Resolution and why the fee increases were never implemented. He also asked if the overall recommendation from staff would be to increase fees for classes AND facility rentals by five percent per year; and if any thought had been given to providing financial assistance for outside contractors or non-profits that would be cost-effective. He also asked for the total current fees and what they would be in three years with a five percent increase.

Recreation and Parks Director Posada responded the fees were not raised when the 1997 Resolution was passed, as many of the instructors wanted to keep their classes at prices that were manageable for their students. The market at that time also dictated keeping fees down to make the program more accessible for those who might not be able to afford higher priced programs elsewhere in the City. At this time, staff is trying to get pricing for programs and facility rentals back on track with CPI rates. In the past, CDBG grant money helped give financial assistance to residents, and scholarships were available through People for Leisure and Youth, Inc. The City also collaborated (and continues to do so) with local high schools and the YMCA. Currently, the Recreation and Parks Department collects approximately $41,000 in fees. Over three years, Option 2, increasing fees five percent, would add about $7,500 per year for a total of $22,500 at the end of three years after which annual adjustments would be made based on CPI.

Councilmember Zuniga asked if the swim clubs only use the Paul Nelson Pool or if they use the partner pools at the high schools. She also reiterated that the Department was trying to cover costs and not make money on the proposed fee increase. She asked how many staff positions are open within the Department at this time.

Recreation and Parks Director Posada responded that the pool partnerships are still set in place and, depending on their schedules, the City still collaborates with them. Currently, the Paul Nelson pool is down with circulation pump issues and clubs are using the YMCA for lap swim programs. The pool is typically one of the higher expenses to the Recreation and Parks Department. Staff positions are filled at about 95 percent.

Written Communications
There were no written communications.

Public Hearing
Mayor Patino opened the Public Hearing at 8:06 p.m.

Butch Carter, representing District 65 Little League, spoke in favor of raising fees five percent the next three years for a total fee increase of 15 percent. Currently the group charges $85 per participant.

Mayor Patino asked what the $85 per participant included.

Mr. Carter responded that the $85 is applied to uniform costs, photos, equipment, restrooms, and umpires, depending on the league and where they play.

Councilmember Zuniga asked what other fundraiser events the teams do and if they look for corporate sponsors.

Mr. Carter replied that each team can do only one major fundraiser per year. And, occasionally, some teams will do little projects such as car washes to help raise funds.

Jackie Milner, representing Northside Little League, commented that the fees her team members pay cover insurance and equipment. The group does not make any money off their membership fees and is motivated by the opportunity to keep kids off the street and giving them a chance to participate in a physical activity. She expressed her concern for increased fees saying her group does most of the ground keeping and maintenance work involved during practices and games during the season. She wanted to know what City expenses are there and what the group would actually receive from the City in exchange for higher fees.

Recreation and Parks Director Posada responded that the Recreation and Parks Department appreciates the work that the leagues do and is willing to work with each group. The costs to the Department are in the watering, park upkeep, trash collections, payment for new restrooms, etc. All of these items are the City's responsibility.

Charlie Bell, representing One Way Water Polo, spoke of how important it is to involve high-school age youth in recreational sports so they do not have time to get in trouble. He said he supported Option 2.

Councilmember Waterfield asked how much Mr. Bell's team charges per participant.

Mr. Bell responded his teams charge their members $15-30 per month for water polo fees depending on how often they play.

Councilmember Boysen asked what percentage of Mr. Bell's participants were Santa Maria residents and if he could get the exact number to Recreation and Parks Director Posada to pass along to Councilmember Boysen.

Mr. Bell responded that he was not sure and that many of them came from out of the area due to the success of the program. He also said he would be happy to get the exact number to Mr. Posada.

Joe Beaudet, representing Santa Maria Girls Softball, stated he had concerns with the Hagerman Sports Complex and its availability, saying that when his team is relocated, they usually have to clean up the area they've been moved to. The group does not turn anyone away and he said he was concerned that if the fee increase was too big, they would eventually have to start turning away potential participants.

James Melena, representing Santa Maria Babe Ruth and Bad Boyz Clubs, expressed his concern about keeping youth active and keeping their fees down so that no one is turned away.

Erik Thiesmeyer, a Grover Beach resident, commented that he did not support raising fees.

Michael Ashmore, representing the Santa Maria Swim Club, said the program runs year-round and takes youth from four years of age up to 18. He said he was concerned about a couple of the options being presented and that they might turn youth away from opportunities they may not be able to find elsewhere. However, he said the City of Oxnard charges 50 percent more for swim fees than the City of Santa Maria and he said he thought Option 2 was fair.

Councilmember Boysen asked Mr. Ashmore if he would provide the percentage of participants in his group that were Santa Maria residents.

Mr. Ashmore agreed.

Mayor Patino closed the public hearing at 8:29 p.m.

Council Discussion
Councilmember Orach spoke about costs 15 years ago versus current costs and the growth of the Recreation and Parks Department over the years. He stated he believed it was time to raise the fees to help cover some of the costs.

Councilmember Boysen commented that the City may be recuperating, at most, 20-25 percent of its costs by raising fees. He said he would support Option 2 but wanted the opportunity to revisit the item should teams find their membership dropping because of the fee increases. He commended the audience for coming out and speaking up.

Councilmember Zuniga also commented in appreciation of the public turnout and feedback. She went on to say she supported a fee increase.

Councilmember Waterfield stated she supported Option 2, and wanted the opportunity to revisit the item if it was too onerous for teams. She asked City Manager Haydon how much of the General Fund is applied to balance Recreation and Parks fees.

City Manager Haydon responded that last year, total Recreation and Parks Department expenditures were $8.7 million, total revenues were $1.5 million. Thus, the General Fund subsidized $7.2 million to the Department. So, the cost recovery for the City with regard to user fees is about 17.5 percent of the total cost to the Department.

Mayor Patino recalled having to cut athletics out of the school budget for her children because there was no funding available. She expressed her enthusiasm for sports and commented that she understood how important sports were in teaching youth team work.

Resolution No. 2015-104 was adopted approving a fee increase based on Option 2, with annual adjustments pursuant to Resolution 90-50 at the conclusion of the third year of implementation, for Recreation and Parks services, on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2015-104 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, TO RATIFY INCREASES FOR RECREATION AND PARKS FACILITIES, PROGRAMS AND SERVICES.

6. A PROPOSED BAN ON THE DELIVERY OF MEDICAL MARIJUANA AND THE CULTIVATION OF MARIJUANA IN THE CITY. Assistant City Attorney Mollenkopf gave a presentation as detailed in the Council Agenda Report. On October 9, 2015, the Medical Marijuana Regulatory and Safety Act (MMRSA) was signed by Governor Brown. The new laws regulating marijuana will go into effect March 1, 2016, but until then, cities in California can preempt State regulation and preserve local control. The current Santa Maria Municipal Code prohibits marijuana dispensaries, either as a fixed location or a mobile dispensary. With respect to the delivery of medical marijuana, MMRSA allows delivery of medical marijuana unless a City's Municipal Code specifically prohibits deliveries by ordinance.

The two proposed ordinances on this item ban deliveries of medical marijuana. One of the ordinances bans all cultivation, commercial or private. The other ordinance bans commercial cultivation and regulates private cultivation for individuals with a certified medical reason.

Councilmember Waterfield asked about different forms of marijuana and if an individual could convert their own marijuana to one of these forms.

Assistant City Attorney Mollenkopf responded that marijuana comes in several different forms – liquid, pill, and edible forms. She stated she did not believe it was impossible for a private individual to convert marijuana to another form, but she did not know the technology specifically.

Councilmember Zuniga commented that she was concerned that banning the delivery of medical marijuana would increase private cultivation. She also commented on the fact that some alternatives to medical marijuana are much stronger drugs that can occasionally render an individual incapable of

relating to family members or leading a fulfilling daily life. She said she believed it might be beneficial to patients using medical marijuana to keep it accessible.

Assistant City Attorney Mollenkopf clarified that the State licensing structure would continue to regulate deliveries of medical marijuana should the Council decide to strike that verbiage from the ordinance. The person delivering the marijuana and the patient receiving it would both be heavily regulated.

Councilmember Boysen asked if the Santa Maria Municipal Code specifies anything on marijuana cultivation.

Assistant City Attorney Mollenkopf responded that the Municipal Code does not say anything about cultivation.

Councilmember Orach asked if a regulated, licensed delivery system would be possible in the City of Santa Maria.

Assistant City Attorney Mollenkopf responded that it would be possible. Permitting and licensing would be required.

Written Communications
There were no written communications.

Public Hearing
Mayor Patino opened the Public Hearing at 9:03 p.m.

Edwin Weaver, representing Fighting Back Santa Maria Valley, spoke about myths regarding the population of medical marijuana users, saying the majority of users are 30 year old males with a drug addiction and only two percent of the users are actually sick with cancer or AIDS. He also expressed concern about cultivation and delivery of marijuana in the City and what could happen if it the local youth are able to obtain it.

Constance McLaughlin-Miley, a doctor of pharmacy, stated she operates a medical cannabis business under strict regulations where employees undergo rigorous background checks. Approximately 75 percent of the patients she works with are over 50 years of age. Most of the patients have chronic diseases. For many patients, passage of the ordinance would present a hardship.

Claire Weinman, President of the Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties, stated the Association represents over 100 growers, shippers, and contractors in supporting agri-businesses. She expressed concern that the proposed prohibition would create substantial financial loss to the City. She encouraged the Council to support pharmaceutical opportunities in the City, under regulation, including cannabis cultivation.

Reggie Marmolejo spoke on behalf of his mother. He explained his mother was treated for lung cancer that has recurred. She was placed with Hospice and prescribed morphine, which was too strong for her, but marijuana cream and drops have helped her. The dosage is small and she is doing much better.

David Malena, representing the 805 Cannabis Community, expressed concern that the prohibition of medical marijuana would entice street gangs and fuel the black market. He said he believed that delivery services legitimized the business and took any criminal element out of it.

Brandon Warwick spoke of Proposition 215 that was passed in 1996 saying he suffers from bi-polar disorder and marijuana has helped him with pain and emotional distress. He emphasized that age has nothing to do with a medical marijuana prescription as there are children and elderly patients.

Leonardo Espinosa, Jr. said he appreciated the fact that the City Council was having this discussion. He said he believed medical marijuana deliveries create jobs, patients benefit by receiving safer medication through marijuana, and marijuana cultivation is therapeutic for the grower. He also stated he was less concerned about cannabis in the community than Spice and Bath Salts.

Mayor Patino closed the public hearing at 9:21 p.m.

Council Discussion
Councilmember Zuniga stated she believed that allowing delivery of medical marijuana is the compassionate thing to do.

Councilmember Waterfield recalled growing up on a federal prison site, saying she saw marijuana as a "starter" drug that would lead to heavier drug use. She said she did not believe in restricting deliveries to those who are very sick, but felt strongly against commercial or personal cultivation. She compared giving permission to drink alcohol, and the problems that has created, to potential problems with the legalization of marijuana.

Councilmember Boysen stated he believed that cultivation of marijuana could become a public safety issue. He also said he thought patients in need should be allowed to receive deliveries conducted under strict licensing.

Councilmember Orach agreed.

Mayor Patino commented on the problems Colorado is having regulating recently legalized marijuana. She encouraged people to study the issue to learn more.

Ordinance No. 2015-16 was introduced for first reading, and continued to the next meeting for second reading and adoption, as amended to eliminate the phrase banning deliveries of medical marijuana, revising the Santa Maria Municipal Code Section 12-54, to ban all cultivation of marijuana in the City, commercial or private, on motion by Councilmember Boysen, seconded by Councilmember Waterfield, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2015-16 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING SECTION 12-54 TO THE SANTA MARIA MUNICIPAL CODE REGARDING CANNABIS REGULATION.

7. CONSUMPTION OF ALCOHOL ORDINANCE AMENDMENT. Recreation and Parks Director Posada gave a presentation as detailed in the Council Agenda Report. The ordinance being proposed would amend Section 6-5 of the Santa Maria Municipal Code and allow the Recreation and Parks Department to issue permits to individuals or groups for the sale of alcohol in public parks and facilities and allow the Chief of Police to issue permits for the sale of alcohol on private property. The rest of the amendment is minor changes to the verbiage in Section 6-5.

Public Input
There was no written correspondence or request to speak.

Council Discussion
There was no Council discussion.

Ordinance No. 2015-17 was introduced for first reading, and continued to the next meeting for second reading and adoption, amending section 6-5 of the Santa Maria Municipal Code relating to consumption of alcohol on public property, on motion by Councilmember Zuniga, seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2015-17 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING SECTION 6-5 OF THE SANTA MARIA MUNICIPAL CODE RELATING TO CONSUMPTION OF ALCOHOL ON PUBLIC PROPERTY.

REPORT BY CITY MANAGER:
City Manager Haydon reported the next City Council meeting would be on December 15, 2015 and would include the Annual Lights Sights and Holiday Nights presentation; the second reading of the ordinance for alcohol consumption; the second reading of the ban on medical marijuana; the five-year consolidated plan and annual report for growth mitigation fees; an intersection design approval for California Boulevard and Union Valley Parkway; and the appointment of Mayor Pro Tem for 2016.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Boysen reported he attended the Investment Oversight Committee meeting and the KCOY Turkey Drive event during which 475 turkeys were collected and $20,000 in donations received. He also thanked the Moxie Café for their contribution of meals to volunteers that day.

Councilmember Orach reported that he attended the KCOY Turkey Drive.

Councilmember Waterfield reported that she attended the KCOY Turkey Drive; an interview for the upcoming City Council Goal Setting Workshop; the Central Coast Rescue Mission Thanksgiving Dinner where she gave a welcome address; a meeting with the Housing Authority of Santa Barbara County regarding the new affordable housing on Depot and Main Streets; and participated in a disaster preparedness training workshop.

Councilmember Zuniga reported she attended the KCOY Turkey Drive; an interview for the upcoming City Council Goal Setting Workshop; the workshop on disaster preparedness training; and a meeting with the Santa Barbara County Housing Authority. She also asked staff about the agricultural fields of vegetables growing in the Santa Maria river bed and what impact they could might have on the El Niño forecast and potential flooding.

Utilities Director Springer responded the fields had been taken into account during the design of the levee reinforcement and did not present a concern.

Mayor Patino reported that she attended the Carmotive Van Give-away; the Santa Barbara County Association of Governments monthly Board Meeting; the going away lunch for Fire Chief Orr; the KCOY Turkey Drive; an interview for the upcoming City Council Goal Setting Workshop; the Central Coast Rescue Mission Thanksgiving Dinner where she gave a welcome address; a meeting with the Housing Authority of Santa Barbara County regarding the Depot Street project; the disaster preparedness workshop; spoke on the Ben Heighes radio show; went to Jaffa Café for their ribbon-cutting ceremony; and the Santa Maria Stakeholders' Meeting held earlier in the day.

CLOSED SESSION:
The City Council recessed at 9:44 p.m. to a Closed Session regarding: 1) Conference with Labor Negotiators pursuant to Government Code Section 54957.6; Agency Representative, Deputy City Manager; Employee Organization, Santa Maria Police Officers Association; and 2) Public Employee Performance Evaluation pursuant to Government Code Section 54957 and Conference with Labor Negotiators pursuant to Government Code Section 54957.6; Agency Representative, Mayor; Title: City Attorney and City Manager.

CLOSED SESSION REPORT:
Following the Closed Session, regarding Item No. 1 and Item No. 2, the City Attorney reported that direction was given to staff.

ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 10:28 p.m.

APPROVED:

December 15, 2015
Date

M. Beth Cleary
M. Beth Cleary
Deputy City Clerk of the City of Santa Maria and
ex officio Clerk of the City Council

ATTEST:

M. Beth Cleary
M. Beth Cleary
Deputy City Clerk

Alice M. Patino
Alice M. Patino
Mayor of the City of Santa Maria